

HOUSE No. 864

By Mr. Murphy of Burlington, petition of Charles A. Murphy and others relative to claims of civil rights violations. The Judiciary.

The Commonwealth of Massachusetts

PETITION OF:

Charles A. Murphy	J. James Marzilli, Jr.
Douglas W. Petersen	David Paul Linsky

In the Year Two Thousand and Five.

AN ACT PREVENTING INDEMNIFICATION FOR WILLFUL, WANTON, CIVIL RIGHTS VIOLATIONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 9 of Chapter 258 of the General Laws is
2 hereby amended by striking the words “shall” in the first sentence
3 and inserting therefore:— may

1 SECTION 2. Section 9 of Chapter 258 of the General Laws is
2 hereby further amended by striking the words “or omission which
3 constitutes a violation of the civil rights of any person under any
4 federal or state law, if such employee or official or holder of
5 office under the constitution at the time of such intentional tort or
6 such act or omission was acting within the scope of his official
7 duties or employment” in the first sentence.

1 SECTION 3. Section 9 of Chapter 258 of the General Laws is
2 hereby further amended by striking the words “other than a person
3 holding office under the constitution acting within the scope of his
4 official duties or employment” and the words “any such” in the
5 second sentence.